

Ryder Ferguson
Montana Legislature
Water Policy Interim Committee (WPIC)
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Public Comment

I am here in front of you all because I am concerned with the recent transition from a science based numeric standard of water quality standards to a narrative one, as it is stated in House Bill 664. This bill was an attempt to make it easier for farmers to follow nutrient standards with their chemicals. I understand that this shift provides flexibility for our farmers, but it is a prime example of how our priorities have shifted, and how this can lead to a challenge in maintaining our constitutional right to a clean and healthy Montana. Looking at narrative standards instead of scientific and numeric standards for our water quality can cause a lot of damage to a system that is already suffering from nitrogen and phosphorus poisoning.

The main problem is that the new policy brought by House Bill 664 introduced new narrative standards to wait and react rather than to act first. Peer-reviewed research by Rebecca Frei et al, (2021) and other scholarly authors indicate that waiting for signs of damage to an ecosystem (like algae blooms) create a thing called “nutrient legacies”, these happen when phosphorus and nitrogen from these pollutants get stuck under soils underwater for years, eventually leaking into groundwater, which can delay ecosystem recovery when pollution has stopped (Frei et al., 2021). When we had strict numeric nutrient standards, we had a strict limit that prevented this long-term water damage. If nutrient standard tests came back high, then we would reduce the amount of pollutants used to prevent further ecosystem and even drinking water damage.

This isn't just a threat to the ecosystem and animals, but an issue of equity in these regions because it can affect well owners and Native communities that might not have the proper filtration systems for these pollutants and rely on these rivers for cultural practices, fishing, and drinking.

Therefore, I urge this committee to rethink this narrative standard and think forwards and potentially adopt a 'Numeric Watershed Verification Policy' that narrows down the broad narrative standard. Along with this policy, the Montana DEQ should be held to take scientific surveys for water quality from a source downstream of each being surveyed. However, these

studies should include the people that they affect as well. Including the Tribal water scientists, local or regional hydrologists to work alongside with the farmers in Montana and the Montana Stockgrowers Association.

We can afford this proactive standard practice from funds from Section 319 Clean Water Act grants and the Montana Renewable Grant and Loan program. Doing this provides equity for farmers by giving them the proper tools they need to follow nutrient guidelines while promoting justice for marginalized communities throughout the state. It is important for our communities and constitutional rights that the water is protected. In the Montana Water Quality Act, under Title 75, Chapter 5, Part 1, it explicitly states that our state policy is to protect and improve water quality for all beneficial uses, including agriculture and public health (Montana. Office of Code, 1978). We must prioritize this, along with our future to reach a better now for Montana's water quality.

Lets keep Monstana's water clean, measurable, and manageable for everyone. Thank you for your time and consideration. (Montana. Office of Code, 1978)

References

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